

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

see form PCT/ISA/220

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY
(PCT Rule 43bis.1)

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION
See paragraph 2 below

International application No.
PCT/US2008/073388

International filing date (day/month/year)
15.08.2008

Priority date (day/month/year)
23.08.2007

International Patent Classification (IPC) or both national classification and IPC
INV. G07F17/32

Applicant
IGT

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



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Date of completion of
this opinion

see form
PCT/ISA/210

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WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/US2008/073388

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of:
 - ☒ the international application in the language in which it was filed
 - ☐ a translation of the international application into , which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1 (b)).
2. ☐ This opinion has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43bis.1(a))
3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
 - ☐ a sequence listing
 - ☐ table(s) related to the sequence listing
 - b. format of material:
 - ☐ on paper
 - ☐ in electronic form
 - c. time of filing/furnishing:
 - ☐ contained in the international application as filed.
 - ☐ filed together with the international application in electronic form.
 - ☐ furnished subsequently to this Authority for the purposes of search.
4. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
5. Additional comments:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/US2008/073388

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	<u>10, 12-22, 24, 26, 30-40, 44</u>
	No: Claims	<u>1-9, 11, 23, 25, 27-29, 41-43, 45-46</u>
Inventive step (IS)	Yes: Claims	
	No: Claims	<u>1-46</u>
Industrial applicability (IA)	Yes: Claims	<u>1-46</u>
	No: Claims	

2. Citations and explanations

see separate sheet

1 Reference is made to the following document:

D1 US 2007/117623 A1 (NELSON DWAYNE R [US] ET AL) < 24 May 2007 (2007-05-24) >

2 INDEPENDENT CLAIM 1

2.1 The subject matter of claim 1 is not new (Article 33(2) PCT), for the following reasons:

2.2 Document D1 discloses a system for providing gaming services (par.[0002]), comprising:

- a camera system comprising a plurality of cameras (par.[0011]) for obtaining patron data regarding people in or near a gaming establishment (par.[0008]), the plurality of cameras configured for communication with other devices via a network (".. via a network interface ..", par.[0008]); and
- a server (par.[0008]), comprising:
 - at least one network interface configured with communication with the network (par.[0008]); and
 - a logic system ("*logic device*", par.[0008]), configured to do the following:
 - acquire patron data ("*biometric data*", par.[0008]) regarding a patron from at least one of the cameras via a network interface;
 - categorize the person with reference to the acquired patron data (par.[0008]); and
 - determine, according to the categorization, whether to populate a player loyalty database ("*.. whether to provide a benefit ..*", par.[0008]; see also par.[0015]) with at least some of the patron data.

3 INDEPENDENT CLAIMS 11 AND 29

3.1 The subject matter of claims 11 and 29 is not new (Article 33(2) PCT), as it is disclosed by D1 (see par.[0016]-[0020]).

4 INDEPENDENT CLAIMS 23 AND 41

4.1 The subject matter of claims 23 and 41 is not new (Article 33(2) PCT), for the following reasons:

4.2 Document D1 discloses a method for providing gaming services (par.[0002], see also fig.15a), comprising:

- acquiring image data of people in or near a gaming establishment (par.[0246]);
- analyzing the image data according to a first rule set (par.[0247]);
- determining whether a person is a member of a player loyalty program (par.[0251]); and
- analyzing the image data according to a second rule set when it is determined that the person is a member of the player loyalty program ("*higher level of facial recognition*", see pars.[0280]-[0281]).

5 DEPENDENT CLAIMS 2-10, 12-22, 24-28, 30-40 AND 42-46

5.1 The subject matter of dependent claims 2-10, 12-22, 24-28, 30-40 and 42-46 is either not new (Article 33(2) PCT), or in any case not inventive (Article 33(3) PCT), as the features described in said claims are either known from D1 or considered obvious to the person skilled in the art of player tracking systems.

Possible steps after receipt of the international search report (ISR) and written opinion of the International Searching Authority (WO-ISA)

General information	For all international applications filed on or after 01/01/2004 the competent ISA will establish an ISR. It is accompanied by the WO-ISA. Unlike the former written opinion of the IPEA (Rule 66.2 PCT), the WO-ISA is not meant to be responded to, but to be taken into consideration for further procedural steps. This document explains about the possibilities.
Amending claims under Art. 19 PCT	Within 2 months after the date of mailing of the ISR and the WO-ISA the applicant may file amended claims under Art. 19 PCT directly with the International Bureau of WIPO. The PCT reform of 2004 did not change this procedure. For further information please see Rule 46 PCT as well as form PCT/ISA/220 and the corresponding Notes to form PCT/ISA/220.
Filing a demand for international preliminary examination	<p>In principle, the WO-ISA will be considered as the written opinion of the IPEA. This should, in many cases, make it unnecessary to file a demand for international preliminary examination. If the applicant nevertheless wishes to file a demand this must be done before expiry of 3 months after the date of mailing of the ISR/ WO-ISA or 22 months after priority date, whichever expires later (Rule 54bis PCT). Amendments under Art. 34 PCT can be filed with the IPEA as before, normally at the same time as filing the demand (Rule 66.1 (b) PCT).</p> <p>If a demand for international preliminary examination is filed and no comments/amendments have been received the WO-ISA will be transformed by the IPEA into an IPRP (International Preliminary Report on Patentability) which would merely reflect the content of the WO-ISA. The demand can still be withdrawn (Art. 37 PCT).</p>
Filing informal comments	After receipt of the ISR/WO-ISA the applicant may file informal comments on the WO-ISA directly with the International Bureau of WIPO. These will be communicated to the designated Offices together with the IPRP (International Preliminary Report on Patentability) at 30 months from the priority date. Please also refer to the next box.
End of the international phase	At the end of the international phase the International Bureau of WIPO will transform the WO-ISA or, if a demand was filed, the written opinion of the IPEA into the IPRP, which will then be transmitted together with possible informal comments to the designated Offices. The IPRP replaces the former IPEA (international preliminary examination report).
Relevant PCT Rules and more information	Rule 43 PCT, Rule 43bis PCT, Rule 44 PCT, Rule 44bis PCT, PCT Newsletter 12/2003, OJ 11/2003, OJ 12/2003